

Members

Rep. Vernon Smith, Chair
Rep. Ralph Ayres
Rep. Duane Cheney
Rep. Ralph Foley
Sen. William Alexa
Sen. Anita Bowser
Sen. David Ford
Sen. John Waterman



CORRECTIONS MATTERS EVALUATION COMMITTEE

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Authority: 2-5-21-10

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MEETING MINUTES¹

Meeting Date: October 20, 2000
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 156 C
Meeting City: Indianapolis, Indiana
Meeting Number: 6

Members Present: Rep. Vernon Smith, Chair; Rep. Duane Cheney; Rep. Ralph Foley;
Sen. David Ford; Sen. John Waterman; Sen. Anita Bowser.

Members Absent: Rep. Ralph Ayres; Sen. William Alexa.

Representative Smith called the meeting to order at 10:20 a.m. In the Committee's first action, it reviewed and approved the minutes of the September 29th meeting.

Representative Smith then announced that the Committee would review the preliminary drafts prepared by the Legislative Services Agency.

PD 3509:

PD 3509 provides whistle-blower protection for Department of Correction employees. It includes employees of the Department of Correction who report violations of department directives, policies, or other internal guidelines within the scope of the current whistle-blower statute. The Committee added language to define the term employer as an individual or individuals who exercises the authority to carry out and effectively recommend the provisions of 4-15-10-4(c).

The Committee recommended PD 3509, as amended, for introduction in the 2000 General Assembly by a vote of 6 to 0.

PD 3516

PD 3516 requires the Department of Correction to prohibit employees from displaying racist markings on their bodies or clothing. It also requires the Department to reassign employees

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who display racist markings. The bill was amended to include the requirement that racist symbols and insignias could not be displayed in correctional facilities, juvenile facilities or county jails.

The Committee recommended PD 3516, as amended, for introduction in the 2000 General Assembly by a vote of 6 to 0.

PD 3508:

PD 3508 requires state and locally operated community corrections programs to report to the executive director of the Legislative Services Agency the race and ethnic background of offenders in the programs. The Committee amended the bill to include whether offenders are carriers of tuberculosis in a communicable stage or another dangerous communicable disease.

The Committee recommended PD 3508, as amended, for introduction in the 2000 General Assembly by a vote of 6 to 0.

PD 3507:

PD 3507 adds the reintegration of offenders into the community as a purpose for the establishment and operation of community corrections programs. The bill also amends the definition of community corrections to include programs that reintegrate offenders into the community.

The Committee members verbally consented to merge this bill with PD 3508, as amended.

PD 3521:

PD 3521 would affect the powers of Board of Correction and void the bylaws adopted by the Board of Correction before October 1, 1980. The bill was amended by moving a portion of the noncode section of the bill into IC 11-8-2-3.

The Committee recommended PD 3521, as amended, for introduction in the 2000 General Assembly by a vote of 6 to 0.

PD 3511:

PD 3511 prohibits the Department of Correction and county jails from profiting financially from providing telephone service to confined offenders. The bill was amended to include community correction agencies in the list of agencies which may not charge offenders more than the allowable direct cost of telephone service.

The Committee recommended PD 3511, as amended, for introduction in the 2000 General Assembly by a vote of 6 to 0.

PD 3519:

PD 3519 establishes the Department of Correction Ombudsman Bureau for offenders who allege their health or safety has been endangered or that the Department of Correction has violated a law, rule, or written policy. It provides that the Board of Correction shall determine salaries and other personnel matters of the Bureau. It provides that the Ombudsman and a person who provides records to the Ombudsman are immune from civil liability. It makes certain actions that impede the Ombudsman's investigation a Class B misdemeanor.

The Committee took no vote on this bill draft, but Representative Smith and Senator Ford indicated that they would both introduce the bill.

PD 3520:

PD 3520 requires that the medical examination given to an individual committed to the

Department of Correction after June 30, 2001, include tests for hepatitis C and the human immunodeficiency virus (HIV). It requires a confirmatory test if a screening test indicates the presence of HIV. It allows the Department of Correction to require individuals committed to the Department before July 1, 2001, to submit to hepatitis C and HIV tests. It requires the Department of Correction to report positive HIV test results to the State Department of Health. It provides that results of the hepatitis C and HIV tests are confidential unless otherwise provided by law. It requires the Department of Correction to file an annual report regarding certain statistical information regarding hepatitis C and HIV tests with the executive director of the Legislative Services Agency. It provides that consent of the individual tested is not required.

The Committee recommended PD 3520 for introduction in the 2000 General Assembly by a vote of 6 to 0.

The final item on the agenda was discussion of concerning a concurrent resolution which urges the Department of Correction to cooperate in a scientific evaluation of the effects of isolation on offenders in supermax prisons. The Committee amended the resolution to commend DOC for being willing to cooperate in such a study.

The Committee recommended the resolution, as amended, by a voice vote of 5 to 1.

Representative Smith thanked the Committee for its participation and adjourned the meeting at 12:45 p.m.